

ASSEMBLY BILL

No. 5

Introduced by Assembly Member Kelley

May 15, 2001

An act to add Section 739.9 to the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 5, as introduced, Kelley. Rates: baseline quantities.

(1) The Public Utilities Act requires the Public Utilities Commission to designate a baseline quantity of gas and electricity necessary to supply a significant portion of the reasonable energy needs of the average residential customer, as prescribed, and requires the commission to also take into account differentials in energy use by climatic zone and season. The act requires the commission to require that every electrical and gas corporation file a schedule of rates and charges providing baseline rates.

This bill would require the commission to designate for Climatic Zone 15, an area encompassing the Coachella Valley in Riverside County, a baseline quantity of electricity equivalent to double the baseline quantity allowed in Climatic Zone 15 as of the effective date of the act adding this section. Since a violation of a rule or order of the commission is a crime, this bill would impose a state-mandated local program by creating a new crime.

(2) This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 739.9 is added to the Public Utilities
2 Code, to read:

3 739.9. The commission shall designate for Climatic Zone 15,
4 an area encompassing the Coachella Valley in Riverside County,
5 a baseline quantity of electricity equivalent to double the baseline
6 quantity allowed in Climatic Zone 15 as of the effective date of the
7 act adding this section.

8 SEC. 2. The Legislature finds and declares that, due to the
9 unique circumstances applicable to Climatic Zone 15, an area
10 encompassing the Coachella Valley in Riverside County, a statute
11 of general applicability cannot be made applicable within the
12 meaning of subdivision (b) of Section 16 of Article IV of the
13 California Constitution.

14 SEC. 3. No reimbursement is required by this act pursuant to
15 Section 6 of Article XIII B of the California Constitution because
16 the only costs that may be incurred by a local agency or school
17 district will be incurred because this act creates a new crime or
18 infraction, eliminates a crime or infraction, or changes the penalty
19 for a crime or infraction, within the meaning of Section 17556 of
20 the Government Code, or changes the definition of a crime within
21 the meaning of Section 6 of Article XIII B of the California
22 Constitution.

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